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Security Council

Sixty-third year

Provisional

5958th meeting

Tuesday, 19 August 2008, 11.10 a.m.

New York

President:	Mr. Grauls	(Belgium)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Li Kexin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Skračić
	France	Mr. Renié
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Mr. Bayley
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Timor-Leste

Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2008/501)

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08-46511 (E)

The meeting was called to order at 11.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor-Leste

Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2008/501)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Australia, Brazil, Japan, Malaysia, New Zealand, the Philippines, Portugal and Timor-Leste in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Da Costa (Timor-Leste) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste and head of Mission of the United Nations Integrated Mission in Timor-Leste (UNMIT).

It is so decided.

I invite Mr. Khare to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members have before them document S/2008/501, which contains the report of the Secretary-General on UNMIT.

At this meeting, the Council will hear a briefing by Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste and head of Mission of UNMIT. I now give him the floor.

Mr. Khare: I would like to begin by paying a special tribute to Sergio Vieira de Mello. His efforts in partnership with the people of Timor-Leste are an inspiring example for all who have subsequently served in Timor-Leste. On 10 May 2002, in his last major speech in Timor-Leste, referring to the Popular Consultation of 1999, Mr. Vieira de Mello said that Timor-Leste

> "paid a heavy price for that courageous gesture, but her people have responded with resilience and enthusiasm. [They] have been a brilliant example to a world that too often is weighed with the cynicism born of an excess of war, suffering, and violence".

I repeat those words today because they ring as true today as they did six years ago.

It is a pleasure for me to introduce to the Council the fourth report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (UNMIT), covering the period from 8 January to 8 July 2008 (S/2008/501).

I would like to acknowledge the presence of the Minister for Foreign Affairs of Timor-Leste, His Excellency Mr. Zacarias Albano da Costa, and to avail myself of this opportunity to formally congratulate the Timorese authorities on their successful efforts to maintain stability and security and, indeed, normalcy in the functioning of state institutions, after the shocking attacks on President José Ramos-Horta and Prime Minister Kay Rala Xanana Gusmão on 11 February. Those efforts have justified increasing public confidence in the State institutions that serve as the guarantors of national unity.

The Government continues to make strides in addressing some of the priority challenges which emanated from the 2006 crisis. On 14 July, petitioners started receiving their payments and returning to their homes. As of 1 August, all petitioners have left the Aitarak Laran camp in Dili, and there have been no major incidents reported so far related to their return. No petitioners opted to apply for re-recruitment into the national army, or Falintil-Forças de Defesa de Timor-Leste (F-FDTL).

Progress also continues in the movement of internally displaced persons from the camps. As of today, 5,400 families in the camps have received the recovery packages under the Government's National Recovery Strategy, and 20 camps have been closed. Although that is encouraging, the actual implementation of all elements of the National Recovery Strategy is needed sooner rather than later if the physical movement of internally displaced persons is not to be undermined in the long term.

Some progress has been made in the conduct of the Timorese-led comprehensive review of the security sector. Timor-Leste authorities have preliminarily identified the need to address management and leadership gaps in the civil service, police and army as key priorities. I also agree with their observation that national stakeholders, including the opposition, should be allowed to proceed at their own reasonable pace rather than sacrificing true national ownership at the altar of speedy progress.

In response to the events of 11 February, the Government chose a military-police security model in which a Joint Command temporarily took on internal security responsibilities, particularly in specific areas of the country where the fugitives were. That was successful in contributing to their surrender, but there have been some concerns about abuses by those forces, particularly the military. The Government has been responsive when those concerns were raised; however, it is not clear how effectively Government concerns are being institutionalized and articulated further down the ranks. Furthermore, bilateral assistance from partners is essential if the professionalization of the F-FDTL; the definition of a meaningful role for the army in a peacetime setting that does not encroach upon the primary responsibility of the civilian administration or the police; strengthened internal accountability, and strong civilian oversight are to be achieved.

The Government has expressed its desire that the resumption of policing responsibilities by the National Police Force of Timor-Leste (PNTL) be completed early next year. That desire needs to be accompanied by concomitant efforts to ensure that logistics are in place, necessary efforts are undertaken to facilitate the work of the Evaluation Panel and there is commitment to the criteria for resumption of responsibilities. Therefore, in consultation with the Prime Minister, I have decided to delay the commencement of the process of resumption of responsibility for a few more months to provide adequate space to the Government to address the pressing logistical needs. I strongly believe that a flexible timeline for this process, coupled with a comparatively inflexible application of mutually determined criteria, will ensure long-term success.

Public confidence in the PNTL is essential for its long-term success. As it takes on greater responsibilities, newer cases of corruption and abuse of authority by the PNTL need to be strongly pursued. I have been distressed by reports that several senior PNTL officers might be involved in alleged misappropriation of funds provided for the activities of the Joint Command. In this respect, I welcome the decision of the Prime Minister on 18 August to temporarily suspend eight PNTL officers and to allow criminal investigations by the Prosecutor-General to proceed where deemed appropriate.

Long-term strategies to ensure that a culture of impunity is not established depend on an effective judiciary, which in turn is part of the larger rule of law system that guarantees stability. When parts of that larger system, including the judiciary, are still weak, the challenge before us is great. Establishment of the rule of law is a wide-ranging effort; the integrated mission model has proven itself to be a successful approach for such a complex undertaking, and UNMIT continues its efforts to support State institutions. I am delighted to report that the third training course for 18 additional judicial officers — judges, public prosecutors and public defenders — commenced on 29 July.

The serious crimes investigation team of UNMIT has been proceeding with its mandated task of completion of all pending investigations. As of today, 20 investigations have been concluded, another 11 are in progress, and the 118 cases that were disallowed from entering the Timor-Leste community reconciliation agreement by the Reception, Truth and Reconciliation Commission are being thoroughly reviewed.

Effective protection of the human rights of women and children is another important feature of a democratic society. This month, the Government, with the support of UNICEF, will initiate a programme led by the Ministry of Justice to nationally disseminate recommendations made by the Committee on the Rights of the Child following Timor-Leste's first report to that Committee. Rede Feto, a network of women's

non-governmental organizations, has completed its district level consultations in preparation for the third National Timorese Women's Congress, to be held from 10 to 12 September.

The signature of the United Nations Development Assistance Framework for the period 2009-2013 by Prime Minister Gusmão on 8 August, in the presence of a large number of ministers, testifies both to the partnership between the United Nations and Timor-Leste and to real and effective integration in my integrated mission. I must also particularly commend the efforts of the United Nations country team, including the Food and Agriculture Organization of the United Nations and the World Food Programme, in promoting effective responses to the food crisis, and of UNICEF in organizing the visit of its goodwill ambassador, Jackie Chan, which contributed to the dissemination of the message of mutual respect, unity and peace to the martial arts groups of the country.

Finally, permit me to express the debt of gratitude that I owe to the Deputy Special Representative, Finn Reske-Nielsen, and to all the women and men of UNMIT and of the United Nations country team, who have demonstrated dedication and commitment far beyond the peacekeeper's high call of duty. I am also deeply touched by the extremely gracious manner in which the leaders and the people of Timor-Leste have continued to receive me and all the United Nations staff working in Timor-Leste.

The President (*spoke in French*): I thank Mr. Khare for his briefing.

I now give the floor to the Minister for Foreign Affairs of Timor-Leste, His Excellency Mr. Zacarias Albano da Costa.

Mr. Da Costa (Timor-Leste): First of all, allow me to begin by congratulating you, Ambassador Grauls, on your assumption of the presidency of the Council and to express my gratitude to you for convening this meeting. It is an honour to be addressing this eminent audience once again.

As the Special Representative of the Secretary-General, Mr. Atul Khare, has already mentioned, today is a poignant day for Timor-Leste, the United Nations and, of course, the Security Council. On this day, we remember and pay tribute to the life and contribution of former United Nations Transitional Administrator of East Timor and Special Representative of the Secretary-General, and a great friend of Timor-Leste, Mr. Sergio Vieira de Mello, as well as of the United Nations employees who lost their lives in Baghdad on this very date five years ago.

Since my last intervention before this Council, a number of obstacles and difficulties — some grave and others of a different scale and nature — have arisen in Timor-Leste, but I speak to the Council today knowing that I have the resolute backing of the Timorese people when I say that we are wholeheartedly committed to the continued development of our young country as a democratic, peaceful and successful nation.

Council members have all received the report of the Secretary-General (S/2008/501). I now wish to discuss in more detail the way in which the Government plans to address the challenges that the report identifies.

The assassination attempts made on our President, His Excellency Mr. José Ramos-Horta, and on Prime Minister Mr. Xanana Gusmão presented a serious challenge to the institutions of State. However, the State responded positively by appointing an interim President to serve until President Ramos-Horta was able to resume the full responsibilities of office, which occurred on 17 April. Following the attacks, the Government and State institutions enacted two measures to maintain stability and public security and to allow for investigations to be undertaken. One mechanism was the establishment of a Joint Command led by the National Police Force of Timor-Leste (PNTL) and by the Falintil-Forças de Defesa de Timor-Leste (F-FDTL) for the conduct of security operations during a state of siege. The state of siege was a flexible and responsive mechanism that allowed for the easing of restrictions, such as curfew hours, during the period from 11 February to 22 May. As the Secretary General notes in his report, "encouragingly, and in contrast to the events of 2006, the situation did not precipitate a crisis destabilizing the entire society" (*S/2008/501, para. 4*).

The efforts of the Joint Command, together with those of a range of political mediation initiatives, resulted in the eventual surrender of the President's attackers and their associates. It is important to note two things. First, this operation was carried out without notable violence. Secondly, it demonstrated a remarkable level of institutional cooperation between the political authorities, the defence force and the

police services, which illustrated the progress in the rebuilding of the latter two institutions and their interrelationship.

The Government is aware of the 44 cases of alleged violations committed in areas of Joint Command operations opened by the Provedor for Human Rights and Justice and is committed to determining responsibility and implementing corrective and disciplinary measures to avoid a repetition of such incidents in the future. As the Secretary-General also notes in his report, the Government is indeed committed to addressing these shortcomings.

The Secretaries of State for Defence and Security will be specifying disciplinary actions for those found guilty of violations. The Joint Command, while not without its critics, was viewed positively by the majority of the Timorese population. It was established under exceptional circumstances, resulted in overall success and has now been discontinued.

Allow me to now draw the Council's attention to our humanitarian situation. The process of recovery will necessarily be a complex and delicate one. In December 2007, the Government presented its National Recovery Strategy, entitled "Hamutuk Hari'i Futuru", or "Building the Future Together". The Strategy offers a framework by which the Government, communities, civil society and the international community can harmonize their efforts to address the many and varied impacts of the 2006 crisis on Timorese society. The Strategy is a comprehensive Governmental approach led by the Vice Prime Minister and operating through a process of interministerial cooperation between the Ministries of Social Solidarity, Infrastructure, Justice, Economy and Development, and Defence and Security.

Under the National Recovery Strategy, more than 14,450 internally displaced families have expressed their desire for return or resettlement. I can report to the Council that, with the assistance of the United Nations Integrated Mission in Timor-Leste (UNMIT), United Nations agencies and other international partners, the Government has facilitated the return of large numbers of internally displaced persons (IDPs) in the past few months. Camps and shelters that have existed for two years are now empty. A total of 20 IDP camps have now been closed and more than 3,650 internally displaced families have received recovery packages. That is evidence of the restoration of public faith in the improvement of the security situation and a more stable political environment.

The implementation of the National Recovery Strategy faces a number of challenges. The Government recognizes that it is critical that the remaining elements of the land and property laws be enacted and that priority be given to the allocation of transitional shelter and social housing for people who are unable to return to their homes. The Government is also alert of the need to address issues of food security among returning IDPs and Timorese society as a whole. It is also essential to manage conflict between returning IDPs and receiving communities. Broader community vulnerabilities need to be addressed, as does the rehabilitation of community infrastructure. The Government is committed to working with United Nations agencies, non-governmental organizations and civil society to ensure that IDP returns are durable and that recovery is meaningful for all Timorese people.

The Government also concluded a dialogue process with the Falintil-Forças de Defesa de Timor-Leste (F-FDTL) "petitioners". It issued an invitation to the petitioners to gather for a dialogue in Aitarak Laran in early February. By the end of May, 709 petitioners had accepted the invitation to enter into dialogue. All of the petitioners have now accepted the financial compensation package offered by the Government to return to civilian life and Aitarak Laran is now completely empty.

The Government of Timor-Leste is committed to the notion that rebuilding the national police is a long-term undertaking, requiring national ownership and continued international assistance for the foreseeable future. As the Secretary-General's report notes, "Considerable progress has been made in the registration, screening and certification programme for the national police". (*S/2008/501, para. 20*)

We continue to appreciate the efforts of UNMIT police not only in helping to guarantee public security, but also in supporting efforts towards the reconstitution of the national police. As indicated by the Prime Minister in his report on the state of siege and state of exception of 29 May, and in line with the language of the Secretary-General's report, we envisage that the resumption of policing responsibilities by the National Police Force of Timor-Leste (PNTL) should be complete within the first half of 2009. We are also happy to note that the Secretary-General does not

propose any reduction in the strength of UNMIT police during the current mandate, as its continued presence at current levels is essential to the smooth implementation of PNTL's resumption of responsibilities and its maintenance of stability.

We hope that any discussion of a United Nations police drawdown will be de-linked from the PNTL resumption of responsibilities and that a robust United Nations police presence will be maintained through and beyond the current UNMIT mandate. The Government of Timor-Leste realizes that the full reconstitution of PNTL will require our close engagement, and we will make every effort to ensure that the conditions are met to allow the joint implementation of a transitional process, which we are developing together with UNMIT and UNMIT police. That includes ensuring that the necessary logistics are in place, actions are taken to meet certification targets and satisfactory institutional readiness can be verified to ensure that the PNTL can assume routine policing activities. We want the PNTL to uphold the highest possible standards of professionalism, and therefore regard the certification process as an important step towards identifying those PNTL who have serious disciplinary and/or criminal issues that preclude them from police service.

As part of efforts to enhance democratic governance, the Government has made 2008 the Year of Administrative Reform. Under the guardianship of the Prime Minister, a Year of Administrative Reform conference was held in May 2008. The Government regards that as an important step forward in the transparency, accountability and integrity of the democratic governance processes in Timor-Leste. The conference covered, among other areas, a national anti-corruption strategy and an anti-corruption commission. The Prime Minister also established an Inspector-General working group to advise on necessary reforms required to expand the competence of the Office of the Inspector-General and to assume the role of an Auditor-General of State.

The Government is also working to strengthen an independent and strong civil service. Earlier this year, the Council of Ministers approved preliminary measures for the establishment of a civil service commission, which will be an independent statutory authority. It will aim to ensure an apolitical, merit-based civil service of the highest professional standards and able to provide quality services to the Government and people of Timor-Leste.

In that same area, I would like to draw the Council's attention to an extremely positive development in Timor-Leste — the functioning of our National Parliament. The National Parliament has developed into a credible and dynamic forum for debate and dialogue. Discussion there is often difficult, as with parliaments the world over, but it is also reasoned and productive. It is a new experience for us Timorese to have our representatives debate public policies so openly and to consider such a wide range of opinions.

During the reporting period covered by the Secretary-General's report, new challenges have arisen that require a proactive and vigorous response from the Government. The Prime Minister, when introducing the law on the rectifying budget to the National Parliament on 18 July, described those challenges, many of which will be familiar to the Council as they are related to international conditions and are not specific to Timor-Leste. The challenges include the drastic worldwide increase in the price of basic commodities, such as rice, which the Prime Minister called a "silent tsunami". Timor-Leste is a country that depends on the importation of basic foodstuffs and, as the situation has changed, so must the Government respond. The rectifying budget contemplates measures needed to ensure that our people have the basic necessities of life. All of the gains of the past years, including those in areas in which international assistance has been provided, could be lost in instability if the Government is not proactive in response to new circumstances.

The economic stabilization fund, with a capital of $240 million, is an important tool that the Government is employing to tackle the effects of the rising cost of food and other commodities, such as fuel and construction materials, throughout the world. The packages we have offered to returning IDPs, pensioners and other vulnerable groups through cash transfers will be of little use if they find themselves in a scenario whereby previously estimated costs are no longer relevant in future months. Meeting the demands of our population with regard to food and shelter goes hand in hand with meeting our security obligations. The fund will be governed in an open and transparent manner, with all procurement following Government procurement laws and all expenditure subject to external auditing.

For the first time, the Timorese State will ensure social protection for those scarred by war and for the dependants of those who dedicated their lives to the struggle for national liberation. Categories for those entitled to a pension are families of deceased combatants; veteran combatants with more than 15 years' service; those disabled by the war who have been unable to work; and the elderly over 55 years of age with a total of over eight years of active service. The number of pensions granted was 12,538, with 631 pensions for living combatants and 11,907 to the widows and families of fallen combatants. Timor-Leste's sovereignty today is a product of the sacrifices made by many thousands of our citizens, whom we will never forget.

Timor-Leste is ever strengthening its bilateral relationships. The Governments of Timor-Leste and Indonesia have decided to jointly discuss and agree on arrangements for the implementation of the recommendations of the final report of the Truth and Friendship Commission. Some of the recommendations have already been the subject of joint efforts, such those pertaining to the issue of border demarcation. In a spirit of mutual respect, and to further promote friendship and reconciliation between the peoples of our two countries, we have committed ourselves to the faithful implementation of the Commission's recommendations, which will be integrated into a plan of action within the framework of existing bilateral cooperation mechanisms.

The Commission's report represented a historic and important milestone in the search for truth and justice with regard to the events of 1999. The recommendations of the report aim to address unresolved issues of State responsibility towards the victims of violence referred to in the report. Above all, we have a duty both to the victims and to future generations to ensure that our society never again faces similar violent conflict.

In conclusion, I would like to emphasize the unique partnership between Timor-Leste and the United Nations. We have made many strides forward in the past nine years. At this stage of our country's development, we cannot afford to lose focus. UNMIT is performing a critical a role and we are eager to see the United Nations remain in Timor-Leste. Keeping in mind that a substantive review of UNMIT's mandate is due in early 2009, I would like to suggest to the Council that, in order to cement the success of our partnership, the United Nations should maintain a substantive peacekeeping presence in Timor-Leste until the next election cycle, that is, until the year 2012.

The President (*spoke in French*): I thank the Minister for Foreign Affairs of Timor-Leste for his statement.

I now give the floor to the representative of the Philippines.

Mr. Davide (Philippines): At the outset, the Philippines wishes to do three things. First, we would like to thank you, Mr. President, for holding this meeting to discuss the latest report of the Secretary-General on Timor-Leste (S/2008/501) and, at the same time, to congratulate the Belgian presidency on its very able stewardship of the Council during the month of August. Secondly, we would like to welcome His Excellency Mr. Zacarias Albano da Costa, Foreign Minister of Timor-Leste, and to thank him for honouring us with his presence today and for his important statement this morning. Thirdly, we would also like to thank Mr. Atul Khare, Special Representative of the Secretary-General, for his briefing and for his major accomplishments.

Regardless of the vicissitudes of time, the Philippines maintains an excellent relationship with Timor-Leste. The Philippines participated in the International Force in East Timor in 1999, as well as in all succeeding United Nations operations in Timor-Leste. The Philippines will, in whatever way possible within its capacity, support Timor Leste's nation-building efforts. The Philippines' own experience and current problems in the areas of peace and security binds it in solidarity with the aspirations of Timor-Leste.

The Philippines views the positive developments in Timor-Leste with great satisfaction. In that connection, the leaders and the people of Timor-Leste with great satisfaction should be commended for their demonstrated capacity in recent months to overcome crises of grave proportions. Their endurance and resiliency following the events in February of this year may yet be a model for others in similar circumstances. As indicated in the Secretary-General's report, 11 February was the first real test of Timor-Leste's institutions. There can be no doubt at all that Timor-Leste has thus far passed the test ably and credibly.

Nonetheless, there is still a lot more to be done in many areas. As Timor-Leste courageously and persistently works to stay on course on the long, narrow and difficult road to nation-building, it is imperative for the United Nations and the international community to continue to invest time, effort and resources to assist Timor-Leste to ensure that, in the end, it will be able to proudly stand on its own. The Philippines very respectfully submits that those investments may focus on at least three key areas.

First, with regard to security, there should be no let up in the support for ongoing efforts to reconstitute the National Police Force of Timor-Leste (PNTL) and ensure its eventual resumption of policing responsibilities. The United Nations Mission in Timor-Leste (UNMIT) should continue its key role in rebuilding the PNTL, but should consider national ownership as a central element in that process. It must facilitate a gradual transition and, at the same time, continue to provide support in terms of monitoring, giving advice when requested, offering operational support and, in extremis, assuming interim law enforcement responsibilities, if required and requested.

Secondly, on socio-economic development, the Philippines reiterates that the creation of job opportunities, especially for young people, and the alleviation of widespread poverty should remain major priorities. It has been noted that there has been no significant progress since independence, in 2002, in the area of poverty alleviation or in the achievement of the Millennium Development Goals (MDGs). However, steps are being taken to proceed in the right direction, such as including addressing the needs of young people and the generation of employment in the national priorities for 2008. The Philippines specifically welcomes the signing, on 8 August 2008, of the 2009-2013 United Nations Development Assistance Framework (UNDAF) between Timor-Leste and the United Nations. We expect that UNDAF's five-year $314 million programme will address the lack of progress in poverty alleviation and in the achievement of the MDGs. UNDAF will serve to guide the support provided by the United Nations country team in Timor-Leste. It is hoped that all concerned will work closely with the Government of Timor-Leste to support the implementation of UNDAF.

Thirdly and finally, on judicial reform, there can be no disagreement at all on the view that no democratic country can achieve social and political stability, economic growth and prosperity and justice and peace unless it has an independent, effective and efficient judiciary. The judiciary is the last bulwark of democracy, the guardian of the rule of law and the protector of the people's rights. That kind of a judiciary promotes and strengthens good governance. Having personally dedicated more than seven years of my public life to the reform of the judiciary in the Philippines, I am heartened to hear that attention continues to be paid to the strengthening of the judiciary of Timor-Leste, including as regards the ongoing capacity development of judicial personnel.

The Philippines supports and encourages UNMIT's involvement in the training courses for national court actors undertaken by the Legal Training Centre. It is reported that several persons have been sworn in as probationary judges, prosecutors and public defenders. They will receive on-the-job training and mentoring from international and national mentors for a one-year period. Thereafter, they will be evaluated and sworn in officially. We look forward to more reform programmes, such as on institutional integrity, access to justice by the poor and effective court systems and procedures, with the aim of ensuring the expeditious delivery of fair, equal and impartial justice and strict adherence to the rule of law.

We are pleased to inform the Council that, from 11 to 12 August 2008, the Philippines hosted a State visit by President José Ramos-Horta of Timor-Leste. On the occasion of that visit, three important bilateral agreements were signed by the relevant ministers and witnessed by the Presidents of the Philippines and Timor-Leste. Those agreements include a memorandum of agreement on academic cooperation, a memorandum of understanding for fisheries cooperation and a memorandum of understanding between the Philippines foreign service and Timor-Leste's Ministry of Foreign Affairs on the training of Timor-Leste diplomats.

The memorandum of understanding on academic cooperation, referred to by President Ramos-Horta as his "favorite project", encourages cooperation in various educational activities, in particular as regards the training of Timorese students in the English language in Philippine colleges and universities. The memorandum of understanding on fisheries aims to promote cooperation in the sustainable development and responsible management of fisheries, as well as to promote mutual consultation and economic cooperation

on agreed areas in fisheries. The memorandum of understanding on the training of Timor-Leste diplomats institutionalizes and enhances collaboration in human resources training and development in the field of diplomacy.

In conclusion, the Philippines reiterates its conviction that Timor-Leste is still one of the best examples of a successful international enterprise engineered through the combined cooperative efforts of United Nations regional players and partners. The international community must maintain its attention on Timor-Leste in order to keep it on the track of development, progress, prosperity and stability as a strong democracy under the rule of law.

The President (*spoke in French*): I now call on the representative of Japan.

Mr. Takasu (Japan): I would like to add my sense of empathy and solidarity to the feelings expressed with regard to Sergio de Mello and his colleagues, who sacrificed their lives for the cause of the United Nations. Whenever we talk about East Timor, we think about him.

I wish to express my appreciation to Mr. Atul Khare, Special Representative of the Secretary-General, for his dedicated work and for his very helpful briefing this morning. I am also grateful to His Excellency Mr. Zacarias Albano da Costa, Foreign Minister of Timor-Leste, for affirming the strong determination of his Government to achieve sustainable stability.

Since the regrettable incident that occurred last February, political leaders in Timor-Leste have demonstrated the capacity to better handle security disturbances. The marked improvement in the overall security situation is most welcome. The Joint Command of the armed forces and the national police has effectively maintained public order. The Government succeeded in persuading the rebellious "petitioners" group to surrender without violence, which was followed by the resolution of that long-standing issue. Thus, one of the fundamental factors affecting the security situation in Timor-Leste has been successfully addressed.

In order to ensure its stability, Timor-Leste must have the national capacity to police itself. The United Nations Integrated Mission in Timor-Leste (UNMIT) and the Government of Timor-Leste have jointly developed a strategy for the phased transfer of policing responsibilities to the National Police Force of Timor-Leste (PNTL). We are pleased with the steady progress made in the screening and certification of police officers. At the same time, that process must proceed prudently, in tandem with actual progress in the reform and capacity-building of the national police. We should avoid any setbacks and earn people's trust and confidence in the process. We therefore support the Secretary-General's recommendation that the existing strength of the UNMIT police force be maintained through the current mandate and that the PNTL receive appropriate support during the transition period.

We acknowledge the positive developments in the security sector. We must also express concern over the reported misconduct by some military and police officers, particularly during the period of operation under the Joint Command. It has to be emphasized that members of security institutions must abide by the law under any and all circumstances. Now that the state of emergency has ended, all PNTL officers report to the UNMIT Police Commissioner, and the Government needs to draw a clear distinction between the role of the armed forces and that of law enforcement institutions. The armed forces must be accountable to the democratically elected Government.

In order to ensure sustained stability and pave the way for long-term peace, it is essential to develop economic and social infrastructures and to create opportunities for all, particularly young people. Focused attention should be given to socio-economic and humanitarian issues during the current mandate period. It is encouraging that a significant number of internally displaced persons have returned to their communities in recent months and that many camps have already been closed. The vital support provided by the International Organization for Migration, UNICEF and other United Nations agencies under the leadership of UNMIT is highly appreciated. We should now intensify our efforts to finally solve this long-standing problem without losing momentum.

Timor-Leste is fortunate to possess great resources generated by oil revenues. While there is some logic in utilizing those revenues to meet short-term emergency needs, effective and well-planned use of those funds to contribute to the country's long-term development must be given consideration. In that context, a good investment in the education, training and capacity-building of Timorese personnel is

critically important for sustainable development. The economic activities of the private sector, local as well as international, should be supported and promoted. This would create a wide range of opportunities for young people.

The major challenge and the principal focus with regard to Timor-Leste are now shifting from the stage of simply maintaining security to that of achieving peacebuilding and durable peace and stability. Regional peacebuilding is a long, complex and multidimensional process. Japan is ready, together with other partners, to support the national efforts of the Government and the people of Timor-Leste, who are the principal actors in this transformation. It is essential to bear in mind the importance of having coordinated and planned strategies. UNMIT and the international partners have so far made significant contributions to the peace and stability in Timor-Leste. In respecting the views of the Government of Timor-Leste, Japan will continue to follow closely the progress of peacebuilding efforts and to develop the most appropriate ways to support such efforts. Japan looks forward to the medium-term strategy to be included in the next report of the Secretary-General.

The President (*spoke in French*): I now call on the representative of Brazil.

Mr. Tarrisse da Fontoura (Brazil): At the outset, permit me to congratulate you, Sir, on your work as President of the Security Council for the month of August and to express the satisfaction of my delegation at the decision to hold a meeting on Timor-Leste. I would also like, through you, to welcome Foreign Minister Zacarias Albano da Costa and to reaffirm to him Brazil's commitment to Timor-Leste, its stability, its prosperity and our common future. By the same token, I thank the Special Representative, Mr. Atul Khare, for his presentation and his tireless efforts for the benefit of Timor-Leste.

A little more than a month ago, President Lula visited our fellow Portuguese-speaking country and had the opportunity to strengthen our historic bonds with the people of Timor-Leste. On that occasion, he said:

> "Timor-Leste expects peace, stability and development. It is necessary to create conditions that will enable the Timorese to fully realize their potential. They can count on Brazil in that regard."

President Lula's statement highlights the Brazilian efforts in Timor-Leste. Having been engaged with the country since the beginning of its process of independence, Brazil was active on the diplomatic front in New York and made concrete contributions to the United Nations missions on the ground since 1999: the United Nations Mission in East Timor; the International Force, East Timor; the United Nations Transitional Administration in East Timor; the United Nations Mission of Support in East Timor; and the United Nations Integrated Mission in Timor-Leste (UNMIT). Although he did so in his international capacity, it was a Brazilian, the late Sergio Vieira de Mello, who supported the country on its path towards independence and democracy. Today marks exactly five years since the lives of Sergio and 20 other colleagues were taken in an act of terror, and we pay tribute to them.

At present, Brazil's bilateral cooperation with Timor-Leste is significant, running the gamut of subjects: judiciary training and legal development, education, agriculture, professional capacity-building, military cooperation, the fight against hunger and poverty, the training of diplomats, and sports. An executive cooperation group is already in operation to identify priority areas and to formulate projects of mutual interest to our countries. The sum of those efforts epitomizes two of the principles guiding our engagement: first, action should promote the long-term sustainability of the country; and secondly, the international presence should encompass not only the military and police aspects, but also the promotion of development.

By the same token, Brazil is confident that the leadership of Timor-Leste will be able to use oil revenues to promote general welfare and long-term prosperity. We congratulate the Timorese Government and the United Nations on the signing of a five-year plan to reduce poverty, consolidate democracy and provide basic social services. We are encouraged by the finalization of a second national development plan, which should be adopted soon.

Brazil holds a view close to that of the Secretary-General regarding the heinous act of violence against President Ramos-Horta and Prime Minister Xanana Gusmão early this year: it demonstrated the ability of the Timorese institutions to respond to crises while exposing some fragilities in its security sector. In that sense, we support the recommendations to maintain the

police component of UNMIT. We also reiterate our understanding that the United Nations must stay in Timor-Leste as long as required lest a new precipitous withdrawal cost the international community all the investment it has made in that country. We agree with the Secretariat that a brief postponement of the medium-term strategy is a wise move in order to make it more attuned with the goals that will be set for Timor-Leste by the Timorese themselves.

The assistance provided by the United Nations is not equalled by any other organization or individual country. The multilateral framework is the correct one to direct the international presence in Timor-Leste and to maximize cooperation. United Nations support will continue to be needed in the ongoing reform and strengthening of the security sector.

Brazil also welcomes the conclusions of the Truth and Friendship Commission and expresses its expectation that matters will be treated in accordance with the will of the Timorese people and its Government towards reconciliation and justice.

To conclude, I would like to make another reference to the words of President Lula:

> "Timor-Leste is a symbol, an example, of our struggle for a just and solidary international order. It expresses a collective aspiration to a world where peoples share the benefits of material progress and live in peace and harmony".

The President (*spoke in French*): I give the floor to the representative of New Zealand.

Ms. Graham (New Zealand): First, I join others in paying tribute to the memory of Sergio Vieira de Mello and other United Nations staff members who so tragically lost their lives in Baghdad five years ago.

New Zealand welcomes this debate on the situation in Timor-Leste. May I thank Foreign Minister Da Costa and Special Representative Khare for their presentations. I also thank the Secretary-General for his report on the situation in Timor-Leste.

New Zealand is a regional partner and friend of Timor-Leste. We are committed to assisting its Government and people through multilateral and bilateral mechanisms. We strongly support the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) and the need for a sustained United Nations presence to help Timor-Leste. There are long-term challenges to Timor-Leste, and the United Nations is uniquely placed to assist it to stand on its own and to ensure that precious gains are not lost.

A great deal of work remains to be done, but we are encouraged by the progress being achieved in Timor-Leste following the elections last year. As outlined in the Secretary-General's report, there have been a number of positive developments over the past six months. We congratulate the Government and people on their effective response to the crisis created by the assassination attempt on the leadership in February.

The Secretary-General's report does, however, touch on areas of immediate concern to New Zealand. First, in the area of policing, we acknowledge the importance of the process of progressively handing over responsibilities from United Nations police back to the National Police of Timor-Leste (PNTL). The criteria used to assess the PNTL's state of readiness should help ensure that it is ready. The criteria should also help to identify areas where further support from UNMIT and others may be needed to strengthen PNTL capabilities. Given the critical importance of that process, it should not be rushed. Very careful attention is needed in setting criteria that are appropriate and measurable.

We also believe that the area of police training needs similar attention in order to be sure that United Nations and bilateral assistance is coordinated and coherent. As a starting point, a single policing model needs to be agreed. Those issues will warrant the special attention of the new Police Commissioner when he or she is appointed.

Another area of concern relates to the national army's involvement in maintaining public security. We see risks associated with that, especially while the security institutions are still developing. Furthermore, potentially positive contributions by the army can be seriously undermined by allegations of human rights violations and a perceived lack of accountability. We are particularly concerned about references in the Secretary-General's report to threatening behaviour by army personnel directed at United Nations personnel, as well as reports of excessive force and intimidation during arrests by members of the Joint Command. We emphasize to the military and police leadership and the Timor-Leste Government the importance of promoting

and protecting human rights, and of ensuring that violations are dealt with appropriately. Every effort needs to be made to counter perceptions of impunity. I particularly welcome Minister Da Costa's comments in that regard.

We also hope to see progress on the security sector review and continue to believe that it is essential to ensuring long-term stability in Timor-Leste. We encourage the Government and UNMIT to continue to intensify their efforts in that regard.

The Secretary-General has outlined plans to provide in his next report a medium-term strategy to be agreed with the Government of Timor-Leste, containing benchmarks and indicators for UNMIT's mandate. That will assist all stakeholders to better assess UNMIT's performance and will inform decisions about future changes in its mandate.

In conclusion, we continue to offer our support and encouragement to the leaders and people of Timor-Leste, as well as to Mr. Khare and the UNMIT team. We look forward to the visit to New Zealand later this month by Prime Minister Gusmão, Minister Da Costa and other ministers. We also thank the Security Council for its ongoing support for Timor-Leste and are grateful in particular for the leadership of South Africa in that respect.

The President (*spoke in French*): I now give the floor to the representative of Australia.

Mr. Goledzinowski (Australia): In my personal capacity and on behalf of my Government, I should like to add our tribute to the memory of the 22 United Nations staff members, including Sergio Vieira de Mello, who were murdered five years ago in the tragic and vile terrorist attack against the United Nations compound in Baghdad. I first met Sergio in Dili, Timor-Leste, many years ago, and I worked for him briefly as his Chief of Staff when he first assumed the position of High Commissioner for Human Rights. I was in Baghdad in those dreadful days when the attack happened.

Some bear the ultimate sacrifice in the service of peace. The rest of us must dedicate ourselves to completing their unfinished business. It is therefore appropriate that the Council should return to the situation in Timor-Leste on this anniversary. Australia welcomes the opportunity to participate again in the Council's deliberations.

I should like to go on record endorsing the remarks I have heard today from the Foreign Minister of Timor-Leste and Mr. Khare.

During the most recent deliberations in February, Australia and others called on Timor-Leste to take greater responsibility for its future through political and economic reform, the development of the private sector and the provision of health care, education and housing. We have been heartened by Timor-Leste's efforts over the past six months and by the progress made on a number of long-standing challenges, including the issues of internally displaced persons and petitioners, which have been mentioned by others. The Government of Timor-Leste responded quickly, positively and effectively to the shocking shooting attacks on President Ramos-Horta and Prime Minister Gusmão that took place on 11 February. Its civil and military institutions worked together and took primary responsibility for responding. The citizens of Timor-Leste should also be commended for their unity in the wake of the attacks.

Australia would also like to praise the efforts of Timor-Leste's partners, in particular the United Nations Integrated Mission in Timor-Leste (UNMIT) under the very able leadership of Mr. Atul Khare. It is UNMIT's ongoing support to the Timor-Leste Government which provides the enabling environment and the stability to allow the Government to move forward, as it is doing.

While Timor-Leste has made good progress, the Secretary-General's report (S/2008/501) makes clear that Timor-Leste will require continued strong support from the United Nations and bilateral partners. In Australia's view, nowhere is this more apparent than in the security sector; all previous speakers have referred to this. We note that the United Nations is working with the Government of Timor-Leste to ensure a smooth handover of policing responsibilities, and we welcome the criteria developed by Timor-Leste and UNMIT to gauge the readiness of the national police to assume responsibility. However, we strongly encourage UNMIT and Timor-Leste to ensure that the handover is undertaken in accordance with achievement of those criteria rather than with any fixed timetable. The challenges facing the police should not be underestimated and will take many years to address. Until the police force has been significantly strengthened, it will be vital to retain an ongoing strong United Nations presence to underpin security. Without that, other gains will be jeopardized.

I can assure the Council that Australia will remain engaged and will play a substantial role in assisting Timor-Leste: first, through our leadership of the International Stabilization Force, with the strong support of New Zealand; secondly, through our role as a leading development partner of Timor-Leste; and finally, through Australia's enhanced engagement over the coming years in terms of providing assistance to Timor-Leste's police and military forces.

As Timor-Leste turns its mind increasingly to longer-term security and development challenges, the international community must remain fully engaged and must remain fully coordinated.

The President (*spoke in French*): I call next on the representative of Malaysia.

Mr. Ali (Malaysia): Let me first of all congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of August 2008 and thank you for convening this open debate on the situation in Timor-Leste. We also congratulate Ambassador Le Luong Minh, Permanent Representative of Viet Nam, on his successful presidency of the Security Council for the month of July 2008. My delegation joins others in welcoming His Excellency Mr. Zacarias Albano da Costa, Foreign Minister of Timor-Leste. We wish to express our appreciation to Mr. Da Costa for being present at this open debate and for providing us with valuable insight into the developments in Timor-Leste.

My delegation also wishes to thank the Secretary-General for his report on the United Nations Integrated Mission in Timor-Leste (UNMIT) (S/2008/501) and Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste, for his briefing on the situation in that country.

The events of 11 February 2008 that saw the attacks on President José Ramos-Horta and Prime Minister Xanana Gusmão rattled not only the people of Timor-Leste but also the international community at large, in particular neighbouring countries such as Malaysia. Many were concerned that this could undo the many positive developments that have been achieved in Timor-Leste as it begins to move out of a post-conflict situation. The quick reaction by the Government of Timor-Leste, in close cooperation with UNMIT, in handling the situation and preventing the incident from veering onto the path of further violence and uncertainty, is commendable and proves that the people of Timor-Leste desire peace and stability in their country. The international community must respect and support that desire and in this regard should continue to work together towards making peace, stability and development in Timor-Leste a permanent reality.

We are pleased to note from the report and the briefing by the Special Representative that significant progress has been made in many areas, including security sector reform, rule of law and governance, political reconciliation and social and economic development. But there is still much to be done to strengthen those areas in order to avoid backsliding to a situation of instability. We are encouraged by the steps taken by UNMIT, the United Nations system in general and international partners in implementing long-term solutions to the challenges faced by Timor-Leste.

We note that UNMIT has been effective in discharging its mandate. We commend the Special Representative of the Secretary-General for the hard work he has undertaken, together with the Government and the people of Timor-Leste, in ensuring that peace and stability prevails; to our mind, that is essential for the development of the country. We remain supportive of UNMIT. We agree with the Secretary-General's observation related to avoiding a precipitate adjustment of the mandate and strength of UNMIT at the moment. We concur also with the view stated by the Secretary-General in his report and the findings of the expert mission to Timor-Leste on policing (see S/2008/329) that long term efforts are needed to give proper traction to the reform of the security sector, especially with regard to reconstituting the National Police Force of Timor-Leste (PNTL), properly integrating the rule of law, implementing economic and social development and building effective and sustainable democratic institutions and governance.

At the same time, the national institutions of Timor-Leste should continue to be engaged and should be given sufficient time, under the guidance of UNMIT, to enable those institutions to nationally own all the reforms and programs undertaken by UNMIT. That will ensure that initiated reforms and projects will have a better chance of enduring beyond the conclusion of UNMIT's mandate.

My delegation firmly believes that a successful transformation of Timor-Leste towards peace and

stability will require continuing commitment and assistance by the international community. In that regard, I would like to take this opportunity to reiterate Malaysia's continuing support for and cooperation with Timor-Leste, both bilaterally and multilaterally. The Malaysian police was one of the first police contingents to be deployed to Timor-Leste under UNMIT following the disturbances in 2006 and continues to remain the second largest police contingent under UNMIT. Malaysia continues to provide assistance in human resource development for officials from the Timor-Leste Government through our technical cooperation programme.

In conclusion, I would like to express my delegation's appreciation to Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste, and to Ambassador Dumisani Kumalo, Permanent Representative of South Africa and Chairman of the contact group on Timor-Leste, for providing leadership to UNMIT and the contact group, respectively, and to congratulate them on their efforts in working closely with the Government and the people of Timor-Leste and the international community in ensuring more progress on achieving peace, stability and development in Timor-Leste.

The President (*spoke in French*): I call next on the representative of Portugal.

Mr. Lobo de Mesquita (Portugal): I thank you, Mr. President, for convening this meeting. I will start by welcoming Foreign Minister Zacarias da Costa of Timor-Leste and expressing our appreciation for his most valuable contribution to today's discussion.

I would also like to thank the Secretary-General for his most recent report on the situation in Timor-Leste (S/2008/501). My thanks go also to the Special Representative of the Secretary-General, Mr. Atul Khare, for his excellent presentation. I take this opportunity to convey to Mr. Khare my Government's deep appreciation for the work he is doing in Timor-Leste. Portugal also commends all the staff of the United Nations Integrated Mission in Timor-Leste (UNMIT) for their dedication and accomplishments.

Portugal agrees with the Secretary-General's balanced, pragmatic and thorough analysis of the overall situation in the country. We are pleased to emphasize the many achievements of the people of Timor-Leste. We reiterate the paramount importance of the continued presence and commitment of the international community, in particular of UNMIT, to help consolidate political stability and foster national reconciliation and socio-economic development in the country. As on past occasions, we underline the fact that the common efforts of the international community can be successful only if they are consistent with the sovereign will of the Timorese people.

Portugal commends the role played by the State institutions, Government, political parties and the whole of society during and in the aftermath of the terrible events of February 2008. The fact that the country has not been drawn back into a major crisis is an encouraging sign of growing institutional maturity and the people's trust in the functioning of State mechanisms. In particular, the firm action by the Government in tackling the issues of the Falintil-Forças de Defesa de Timor-Leste (F-FDTL) petitioners and internally displaced persons is noteworthy.

In that context, we encourage the Government of Timor-Leste to integrate measures, such as financial compensation packages for internally displaced persons and the petitioners, into a sustainable, long-term economic strategy aimed at reducing poverty; creating employment and generating income, especially among the youth; and developing social protection mechanisms. Initiatives to ensure lasting reconciliation should also complement those financial settlements.

In addition to ensuring peace and security, UNMIT is playing a paramount role in supporting the authorities of Timor-Leste in their efforts to surmount key challenges, such as the review and reform of the security sector, comprehensive institutional enhancement across the public sector, and the strengthening of justice.

Moreover, with regard to the holistic reform of the security sector, the cooperation between F-FDTL and the National Police of Timor-Leste (PNTL) is a core element of peace and stability in the country that needs to be duly promoted. In that context, Portugal supports the gradual transfer of policing responsibilities from UNMIT to PNTL on the basis of the latter's operational capabilities rather than of artificial deadlines. It is therefore important to ensure the necessary capacity and training of PNTL, notably through UNMIT and bilateral assistance.

Since 1999, Portugal has committed €442 million in official development assistance to Timor-Leste and

concentrated its cooperation in crucial areas, such as justice and education. Our cooperation extends to many other areas in response to requests from the national authorities of Timor-Leste, and it is oriented towards helping to promote a culture of democratic governance and reinforcing the rule of law and supporting sustainable economic and social development, while ensuring a coordinated approach to cooperation efforts.

Besides that important bilateral contribution to cooperation with Timor-Leste, my country is fully committed to supporting UNMIT in its mandate implementation efforts. Portugal contributes to UNMIT with police officers and a Formed Police Unit operating in Dili and its surroundings, as well as with civilian staff, for a total of approximately 200 individuals. As the largest bilateral donor to Timor-Leste and a police contributor to UNMIT, my country is proud to be able to assist the people of Timor-Leste in their efforts to consolidate democracy and development in the country.

Before concluding, I wish to stress the important support and solidarity extended to Timor-Leste by the Community of Portuguese-speaking Countries in the areas of political and diplomatic action and cooperation.

Finally, I cannot end my remarks without associating myself with the tribute paid to the memory of Sergio Vieira de Mello, a great friend of Timor-Leste and a symbol of the highest values and principles of the United Nations. Having had the privilege of meeting him in Timor-Leste, I know that he is as deeply missed there as he is here today.

The President (*spoke in French*): There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I invite Council members to continue their discussion on the matter in informal consultations.

The meeting rose at 12.25 p.m.